

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,

v.

AMIN KHOURY,

Defendant

Case No. 20-cr-10177-DJC

**DEFENDANT AMIN KHOURY’S MOTION FOR LEAVE
TO FILE MOTION *EX PARTE* AND UNDER SEAL**

Defendant Amin Khoury respectfully moves this Court for leave to file a motion *ex parte* and under seal (“Submission”).

As grounds for the motion, Mr. Khoury states that he requests to file the Submission *ex parte* and under seal because it relates to a request for leave to file a Rule 17(c) subpoena, the subject matter of which would reveal confidential trial strategy to the government. *See United States v. Diamont*, Case No. 1:05-cr-10154, ECF No. 33, slip op. at 5 (D. Mass. Nov. 22, 2005) (Dien, M.J.) (“[E]x parte proceedings are available under Rule 17(c) both based on the language of the Rule and for policy reasons.”).

WHEREFORE, Mr. Khoury respectfully requests that his motion to file the Submission *ex parte* and under seal be GRANTED.

Respectfully submitted,

AMIN KHOURY

By his attorneys,

/s/ Eóin P. Beirne

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Dated: April 2, 2021

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

I, Eóin P. Beirne, hereby certify that counsel for Defendant did not confer with counsel for the government regarding this motion as the underlying Submission would be made *ex parte* and under seal.

/s/ Eóin P. Beirne

Eóin P. Beirne

CERTIFICATE OF SERVICE

I, Eóin P. Beirne, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on April 2, 2021.

/s/ Eóin P. Beirne

Eóin P. Beirne